

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK**

RICHARD DEGAETANO, Plaintiff, v. A.K. RIKK'S, INC. Defendant.	Case No. 1:23-cv-01380 (FJS/ML)
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NOTICE OF DISMISSAL PURSUANT TO RULE 41(a)(1)

1. Whereas Plaintiff Richard DeGaetano filed the above-referenced case against Defendant A.K. Rikk's, Inc. on November 2, 2023.
2. Whereas Defendant has not yet answered Plaintiff's Complaint, and thus dismissal is appropriate without Court order, pursuant to F.R.C.P. Rule 41(a)(1)(A)(i).
3. Accordingly, pursuant to F.R.C.P. Rule 41(a)(1)(A)(i), Plaintiff hereby dismisses his Complaint with prejudice.

Dated: December 12, 2023

Respectfully Submitted,

/s/ Benjamin Sweet

Benjamin J. Sweet

ben@nshmlaw.com

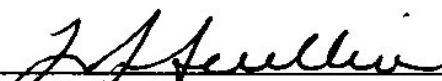
**NYE, STIRLING, HALE, MILLER &
SWEET, LLP**

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Attorneys for Plaintiff Richard DeGaetano

IT IS SO ORDERED.

Date: December 15, 2023



Frederick J. Scullin, Jr.
Senior United States District Judge